

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WISCONSIN

NATIONAL WILDLIFE REFUGE ASSOCIATION, et al.,)
Plaintiffs,)
v.)
RURAL UTILITIES SERVICE, et al.,)
Federal Defendants,) Case No. 24-cv-139-wmc
and)
ITC MIDWEST LLC and DAIRYLAND POWER)
COOPERATIVE,)
Intervenor-Defendants.)

DECLARATION OF ABBIE CHURCH

I, Abbie Church, declare as follows:

1. I have personal knowledge of the facts stated herein and, if called upon to do so, could and would testify competently thereto. I state that the following is true and correct to the best of knowledge and belief.

2. I am the Conservation Director of the Mississippi Valley Conservancy (“MVC”). As described on our website, www.mississippivalleyconservancy.org, MVC is an accredited non-profit land trust, and our mission is to conserve native habitats and farmlands for the health and well-being of the Driftless Area.

3. There are two nature preserves located in Grant County, Wisconsin adjacent to

the Upper Mississippi Fish and Wildlife Refuge for which MVC is seeking a dedicated funding source to be able to pro-actively implement habitat management practices to improve the health and resilience of the natural communities, the Cassville Bluffs State Natural Area and Devil's Backbone State Natural Area. We would strongly support the donation of funds from ITC Midwest LLC and Dairyland Power Cooperative to MVC for this purpose.

4. While funds for habitat management is MVC's greatest priority, opportunities for conservation easements and the acquisition of land in the Cassville Bluffs and Devil's Backbone State Natural Areas are a high priority as well, and we would strongly support the donation of funds from ITC Midwest LLC and Dairyland Power Cooperative to MVC for such purpose. With respect to any proposed donations of land, these would be subject to MVC's board approval and would have to meet MVC's eligibility requirements.

5. Both the Cassville Bluffs and Devil's Backbone State Natural Areas are included among MVC's priority area for parcels. Additionally, both nature preserves are located within what the Wisconsin Wildlife Action Plan identifies as the Mississippi Bluffs and Floodplain Conservation Opportunity Area, which represents an area that is considered of continental ecological significance.

6. Both properties are comprised of disturbance-dependent ecosystems that require carefully planned habitat management to ensure the natural communities and rare species thrive into the future and populations have an opportunity to expand. Annual habitat management requirements for both sites include diligent invasive species control year-round, prescribed burning, and monitoring as part of an adaptive management strategy.

7. The Cassville Bluffs State Natural Area, south of Cassville, WI, includes 190 acres owned by MVC and 53 acres owned by the Wisconsin Department of Natural Resources

(DNR). Cassville Bluffs features a rare expanse of undeveloped bluff and sand terrace overlooking the Mississippi River that supports linear strips of dry prairie and rare chinquapin oak savanna. Extremely important and unique to this high-quality natural area are the uplands, which remain connected to the river bottoms below and are not separated by any roads or highways. Currently, Wisconsin has only one mile of protected riverfront property that has no highway between the bluffs and the Mississippi River. One of the rarest savanna types in Wisconsin, the chinquapin oak savanna is dominated by chinquapin oak with some bur oak and contains a diverse, intact ground layer. The oak savanna natural community is designated by the Wisconsin Natural Heritage Inventory as critically imperiled on a global scale. The site is home to numerous species of greatest conservation need including the state threatened Kentucky warbler, as well as two species of special concern - the red-headed woodpecker and yellow-billed cuckoo - and several listed reptiles and plants.

8. Devil's Backbone State Natural Area is a 165-acre nature preserve just north of Glen Haven, WI, and contains the **only** permanently protected algific talus slope in Wisconsin in addition to critically imperiled oak savanna, and high quality mesic forests which support a wide array of species of greatest conservation need identified by the Wisconsin DNR including Three birds orchid, snowy campion, tall nut-rush, chinquapin oak, great waterleaf, Kentucky coffee tree, purple milkweed, great Indian plantain, and federally threatened Northern monkshood. In addition to the rare plants, state threatened Acadian flycatchers and Kentucky warblers nest in the mesic forest community, and the steep slopes host populations of the state threatened cherrystone drop snail and Midwest Pleistocene vertigo, two species that are relicts from the last ice age.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct to the best of my knowledge.

Executed on November 26, 2024

/s/ Abbie Church
Abbie Church